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Dated: MAR 18 2009

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Via Facsimile: (212) 805-6737 (5 pages)

March 17, 2009

Attn: Barbara Graves-Poller  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 630  
New York, NY 10007

Re: Custodio v. American Chain Link & Construction  
Docket No: 06 CV 7148 (GBD)  
Our File No: 92-06

Dear Ms. Graves-Poller:

This firm is counsel to Defendants American Chain Link & Construction, Inc., Mary Murchison, Richard Guercia, Colonial Surety Co. and Nova Casualty Co. ("Defendants") in the above matter. Enclosed please find Defendants' previous requests for an extension of time until March 27, 2009 to submit opposition papers to Plaintiffs' fee application. However, in the Court's order dated March 12, 2009, the Court so-ordered the endorsed letter from the undersigned "re: Counsel requests that the Court permit Defendants until March 17, 2009 to respond to Plaintiffs fee application."

As such, Defendants respectfully request that the Court permit Defendants until March 27, 2009 to respond to Plaintiffs' fee application.

Respectfully submitted,

MILMAN LABUDA LAW GROUP, PLLC

Netanel Newberger

cc: Delvis Melendez, Esq. - via regular mail  
Lloyd Ambinder, Esq. - via regular mail

MILMAN LABUDA LAW GROUP PLLC

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March 13, 2009

Via Overnight Mail

Honorable George B. Daniels  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 630  
New York, NY 10007

**Re: Custodio v. American Chain Link & Construction**  
**Docket No: 06 CV 7148 (GBD)**  
**Our File No: 92-06**

Dear Judge Daniels:

This firm is counsel to Defendants American Chain Link & Construction, Inc., Mary Murchison, Richard Guercia, Colonial Surety Co. and Nova Casualty Co. ("Defendants") in the above matter. This letter is in furtherance of Defendants' previous request, dated March 11, 2009, for an extension of time until March 27, 2009 to submit their opposition papers to Plaintiffs' fee application. (A copy of that letter is attached hereto as Exhibit "A".) However, in the Court's order dated March 12, 2009, the Court so-ordered the endorsed letter from the undersigned "re: Counsel requests that the Court permit Defendants until March 17, 2009 to respond to Plaintiffs fee application."

With due respect, Defendants respectfully request that the Court so-order Defendants' request for an extension of time until March 27, 2009 to submit their opposition papers to Plaintiffs' fee application.

Respectfully submitted,

MILMAN LABUDA LAW GROUP, PLLC



Netanel Newberger

Enclosures

cc: Delvis Melendez, Esq. - via regular mail  
Lloyd Ambinder, Esq. - via regular mail  
Neil Connolly, Esq. - via regular mail  
Robert McCann, Esq. - via regular mail  
Richard Guercia- via regular mail

# EXHIBIT “A”

MILMAN LABUDA LAW GROUP PLLC

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**Via Overnight Mail**

March 11, 2009

Honorable George B. Daniels  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 630  
New York, NY 10007

Re: **Custodio v. American Chain Link & Construction**  
Docket No: 06 CV 7148 (GBD)  
**Our File No: 92-06**

Dear Judge Daniels:

This firm is counsel to Defendants American Chain Link & Construction, Inc., Mary Murchison, Richard Guercia, Colonial Surety Co. and Nova Casualty Co. ("Defendants") in the above matter. Opposition to Plaintiffs' fee application was originally due February 25, 2009. Defendants previously requested extensions of time until March 6, 2009 and March 13, 2009; both previous requests for extensions of time are currently pending before the Court.

This is the third request for an extension of time to submit opposition papers in this motion. At this time, Defendants request two (2) additional weeks to respond to Plaintiffs' fee application, due to the complexity of the motion and other engaging matters. Defendants also advise the Court that Plaintiffs had over three (3) months to prepare their fee application, from the time that this matter was settled between the parties on October 20, 2008, until February 10, 2009, when Plaintiffs served their fee application. Thus, as a matter of equity, Defendants should be granted sufficient time to adequately prepare their opposition to this fee application.

Honorable George B. Daniels  
United States District Judge  
United States District Court  
Southern District of New York  
March 11, 2009  
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As such, Defendants respectfully request that the Court permit Defendants until March 27, 2009 to respond to Plaintiffs' fee application. Plaintiffs' counsel has not consented to this extension of time.

Respectfully submitted,

MILMAN LABUDA LAW GROUP, PLLC



Netanel Newberger

NN:lmg

cc: Delvis Melendez, Esq. - via regular mail  
Lloyd Ambinder, Esq. - via regular mail  
Neil Connelly, Esq. - via regular mail  
Robert McCann, Esq. - via regular mail  
Richard Guercia- via regular mail